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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,178	07/06/2000	Jack H. Chang	UNI-001	5599
7590	01/11/2006		EXAMINER	HASHEM, LISA
David B Ritchie D'Alessandro & Ritchie P O Box 640640 San Jose, CA 95164-0640			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/611,178	CHANG, JACK H.
	Examiner	Art Unit
	Lisa Hashem	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 26 October 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 and 25-84 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-8 and 25-84 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

FINAL DETAILED ACTION

1. The affidavit filed on 10-26-2005 under 37 CFR 1.131 has been considered but is ineffective to overcome the Skladman reference.
2. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Skladman reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897).

Exhibits A, B, C, D, E, F, and H fail to disclose conception relating to the invention in claims 5, 6, 7, 8, 29, 30, 31, 32, 37, 38, 39, 40, 74, 75, 76, and 77 wherein the Exhibits do not disclose conception relating to: said corporate communication platform can command said PBX to activate a message waiting light on a PBX user's voice terminal equipment when a message for said PBX user is transmitted from said master message mailbox to said slave mailbox cache.

3. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Rankin reference to either a constructive reduction to practice or an actual reduction to practice. Exhibits A, B, C, D, E, F, and H do not disclose diligence of the invention in claims 5, 6, 7, 8, 29, 30, 31, 32, 37, 38, 39, 40, 74, 75, 76, and 77. The Exhibits do not disclose 'how' the applicant was diligent in constructively reducing the invention to practice. There is no evidence of data results and testing of notifying a subscriber of a message via a message waiting light on the subscriber's voice terminal equipment.

4. Exhibit G 'PBX-Integrated Unified Messaging Outsourcing' and Exhibit I 'features summary for blue-silicon b3' are missing from the file and could not be reviewed.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8 and 25-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,487,278 by Skladman et al, hereinafter Skladman in view of U.S. Patent No. 6,792,085 by Rigaldies et al, hereinafter Rigaldies.

Regarding claim 1, Skladman discloses a system for providing PBX-integrated unified messaging services on a wide-area network (see Abstract; Figs. 1a and 1b), comprising: a corporate communication platform or enterprise system that provides services to users within a predetermined enterprise, such as a business or government organization (Fig. 1b, 22) coupled to a switched backbone or Internet (Fig. 1, 56) via a router (col. 3, lines 60-67; col. 6, lines 6-7), integrated with a PBX or LDS (Fig. 1a, 48) via a PBX interface or PSTN (Fig. 1a, 62) (col. 3, lines 5-47), and comprising a slave message mailbox cache or voice-mail server (Fig. 1a, 50); and a plurality of system communication platforms or disparate messaging systems inherently coupled to said switched backbone (col. 3, lines 60-67; col. 6, lines 21-34), wherein one such system communication platform or unified messaging center (Fig. 1a, 26) comprises a master message mailbox or unified message server (Fig. 1a, 64), wherein said slave message mailbox cache is synchronized with said master message mailbox (col. 4, line 9 – col. 5, line 6).

Skladman does not disclose said slave message mailbox cache is bi-directionally synchronized in real-time with said master message mailbox.

Rigaldies discloses a system for providing PBX-integrated unified messaging services on a local-area network (see Abstract; Fig. 1), comprising: a communication platform (Fig. 1, 10) coupled to a switched backbone (LAN) integrated with a PBX (Fig. 1, 400) via a PBX interface or PSTN (Fig. 1, 420), and comprising a slave message mailbox cache or workstation mailbox (Fig. 1, 150); and the platform comprises a master message mailbox or voice-mail server (Fig. 1, 200), wherein said slave message mailbox cache (Fig. 1, 150) is bi-directionally synchronized in real-time with said master message mailbox (col. 7, lines 30-63; col. 8, line 61 – col. 9, line 1; col. 9, lines 16-27; col. 10, lines 26-45; col. 11, lines 19-32; col. 12, lines 14-27; col. 14, lines 50-57; col. 15, line 59 – col. 16, line 6).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the system of Skladman to include said slave message mailbox cache is bi-directionally synchronized in real-time with said master message mailbox as taught by Rigaldies. One of ordinary skill in the art would have been lead to make such a modification to provide a unified messaging system comprising a slave message mailbox cache that receives messages from the master message mailbox instantly and the messages in the master message mailbox are also replicated in the slave message mailbox cache in order for a user to only check one corresponding mailbox of an individual user. The slave message mailbox cache is also local to the user and easily accessible by the user.

Regarding claim 2, the system of claim 1, wherein Skladman further discloses said switched backbone is the Internet (col. 6, lines 6-7).

Regarding claim 3, the system of claim 1, wherein Skladman further discloses said PBX interface is inherently managed and controlled through program control, said program control established by using modules that make API calls to a programming interface (Fig. 4, 120), wherein said corporate communication platform can deliver a message to and receive a message from extensions defined within said PBX (col. 6, lines 29-34; col. 7, line 57 - col. 8, line 32).

Regarding claim 4, please see the rejection of the system in claim 3, to reject the system in claim 4.

Regarding claim 5, the system of claim 1, wherein Skladman further discloses said corporate communication platform can command said PBX to activate a message waiting light on a PBX user's voice terminal equipment when a message for said PBX user is transmitted from said master message mailbox to said slave mailbox cache (col. 6, lines 20-34; col. 6, line 60 – col. 7, line 8; col. 11, line 57 – col. 12, line 15).

Regarding claims 6-8, please see the rejection of the system in claim 5, to reject the system in claims 6-8.

Regarding claims 25-32, please see the rejections of the system in claims 1-8, respectively, to reject the apparatus in claims 25-32.

Regarding claim 33, Skladman discloses a method of providing PBX-integrated unified messaging services to one or more individual subscribers associated with a corporate subscriber (business or government organization) (see Abstract; Figs. 1a and 1b), comprising: integrating a corporate communication platform or enterprise system that provides services to users within a

predetermined enterprise, such as a business or government organization (Fig. 1b, 22) with said corporate subscriber's PBX system or LDS (Fig. 1a, 48) via a PBX interface or PSTN (Fig. 1a, 62) (col. 3, lines 5-47); coupling said corporate communication platform to a switched backbone or Internet (Fig. 1, 56) via a router (col. 3, lines 60-67; col. 6, lines 6-7) and inherently assigning a network identifier to said corporate communication platform (col. 4, lines 24-30; col. 8, lines 33-55); assigning said corporate communication platform to be serviced by a system communication platform accessible or unified messaging center (Fig. 1a, 26) via said switched backbone (col. 3, lines 60-67; col. 6, lines 21-34), wherein said corporate communication platform comprises a slave message mailbox cache or voice-mail server (Fig. 1a, 50) synchronized with a master message mailbox or unified message server (Fig. 1a, 64) on said system communication platform; initializing a network mailbox on said system communication platform for each said individual subscribers; and transmitting copies of all messages received at said system communication platform that correspond to each of said individual subscribers to said corporate communication platform (col. 4, line 9 – col. 5, line 6; col. 6, lines 21-34; col. 8, line 33 – col. 9, line 9).

Skladman does not disclose a slave message mailbox cache is bi-directionally synchronized in real-time with said master message mailbox.

Rigaldies discloses a method of providing PBX-integrated unified messaging services to one or more individual subscribers (Abstract; Fig. 1), comprising: integrating a communication platform (Fig. 1, 10) with a subscriber's PBX system (Fig. 1, 400) via a PBX interface (Fig. 1, 420); coupling said communication platform to a switched backbone (LAN);

said communication platform comprises a slave message mailbox cache (Fig. 1, 150) bi-directionally synchronized in real-time with a master message mailbox or voice-mail server (Fig. 1, 200); and

transmitting copies of all messages received at said master message mailbox that correspond to each of said individual subscribers to said slave message mailbox cache (col. 7, lines 30-63; col. 8, line 61 – col. 9, line 1; col. 9, lines 16-27; col. 10, lines 26-45; col. 11, lines 19-32; col. 12, lines 14-27; col. 14, lines 50-57; col. 15, line 59 – col. 16, line 6).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Skladman to include a slave message mailbox cache is bi-directionally synchronized in real-time with said master message mailbox as taught by Rigaldies. One of ordinary skill in the art would have been lead to make such a modification to provide a unified messaging service comprising a slave message mailbox cache that receives messages from the master message mailbox instantly and the messages in the master message mailbox are also replicated in the slave message mailbox cache in order for a user to only check one corresponding mailbox of an individual user. The slave message mailbox cache is also local to the user and easily accessible by the user.

Regarding claim 34, the method of claim 33, wherein Skladman further discloses said switched backbone is the Internet (col. 6, lines 6-7).

Regarding claim 35, the method of claim 33, wherein Skladman further discloses said PBX interface is inherently managed and controlled through program control, said program control established by using modules that make API calls to a program interface (Fig. 4, 120),

wherein said corporate communication platform can deliver a message to and receive a message from extensions defined within said PBX (col. 6, lines 29-34; col. 7, line 57 - col. 8, line 32).

Regarding claim 36, please see the rejection of the method in claim 35, to reject the method in claim 36.

Regarding claim 37, the method of claim 33, wherein Skladman further discloses said corporate communication platform can command said PBX to activate a message waiting light on a PBX user's voice terminal equipment when a message for said PBX user is transmitted from said master message mailbox to said slave mailbox cache (col. 6, lines 20-34; col. 6, line 60 - col. 7, line 8; col. 11, line 57 - col. 12, line 15).

Regarding claims 38-40, please see the rejection of the method in claim 37, to reject the method in claims 38-40.

Regarding claim 41, the system of claim 1, wherein Skladman further discloses said unified messaging includes voice messaging (col. 3, lines 14-16; col. 3, lines 31-35; col. 6, lines 35-59; see Fig. 4).

Regarding claim 42, the system of claim 1, wherein Skladman further discloses said unified messaging includes voice messaging and fax messaging (col. 3, lines 14-16; col. 3, lines 31-35; col. 6, lines 35-59; see Fig. 4).

Regarding claim 43, the system of claim 1, wherein Skladman further discloses said unified messaging includes voice messaging and e-mail messaging (col. 3, lines 14-16; col. 3, lines 31-35; col. 6, lines 35-59; see Fig. 4).

Regarding claim 44, the system of claim 1, wherein Skladman further discloses said unified messaging includes voice messaging, fax messaging, and e-mail messaging (col. 3, lines 14-16; col. 3, lines 31-35; col. 6, lines 35-59; see Fig. 4).

Regarding claim 45, the system of claim 1, wherein Skladman further discloses said unified messaging includes fax messaging and e-mail messaging (col. 6, lines 35-59; see Fig. 4).

Regarding claim 46, the system of claim 2, wherein Skladman further discloses said PBX is inherently selected from a group consisting of analog PBXs, digital PBXs, Centrex PBXs and Internet Protocol ("IP") PBXs (col. 3, lines 31-47).

Regarding claims 47-69, please see the rejection to claim 46 above, to reject claims 47-69.

Regarding claims 70-77 and 78-84, please see rejections to claims (system: 1-8 and 46-52, apparatus: 25-32 and 54-60, method 33-40 and 62-68) above, respectively, to reject the apparatus in claims 70-77 and 78-84.

Response to Arguments

7. Applicant's arguments with respect to claims 1-8 and 25-84 have been considered but are moot in view of the new ground(s) of rejection.

8. Accordingly, this action is **FINAL**.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,018,762 by Brunson et al discloses a received message being stored in a first mailbox of a first messaging system and the first mailbox sends a copy of the message to a second mailbox in a second messaging system; thus both mailboxes are bi-directionally synchronized in real-time

11. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

Art Unit: 2645

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh

January 9, 2006


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600